

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:17-00137-4

JASON ALLEN DAVIS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On September 18, 2019, the United States of America appeared by Kathleen Robeson, Assistant United States Attorney, and the defendant, Jason Allen Davis, appeared in person and by his counsel, David O. Schles, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Jeffrey D. Bella. The defendant commenced a three (3) year term of supervised release in this action on March 21, 2018, with the special condition that the defendant shall spend a period of six (6) months in a community confinement center commencing immediately, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on March 21, 2018.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed violations of law in that he unlawfully possessed a controlled substance inasmuch as on June 25, 2018, and January 7, 2019, he tested positive for and admitted use of methamphetamine, on March 4 and March 25, 2019, he tested positive for use of methamphetamine, the defendant admitted his use of synthetic marijuana on July 24, 2018, and June 7, 2019, to the probation officer, on August 16 and September 17, 2018, the defendant tested positive for buprenorphine, and on September 20, 2018, the defendant admitted to the probation officer that he had used Suboxone on two occasions within the preceding three weeks; (2) the defendant was terminated from his employment on June 7, 2019, but failed to report his termination to the probation officer until June 27, 2019; and (3) on September 17, 2018, the defendant attempted to evade a drug screen, which was admitted to the probation officer; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOUR (4) MONTHS, to be followed by a term of thirty-two (32) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B), the standard conditions as set forth in Local Rule 32.3, and the special conditions that he participate in and successfully complete the residential program at Recovery "U," or a like program approved by the probation officer, for the program period of nine (9) to twelve (12) months where he

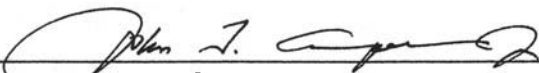
shall follow the rules and regulations of the facility and participate in drug abuse counseling and treatment as directed by the probation officer, and that he commence the program by proceeding directly from his place of incarceration to the residential program.

It is further ORDERED that the defendant shall travel directly, without interruption, from his place of imprisonment to the residential treatment facility with transportation to be provided by his girlfriend, Jessica Freeman, or his aunt, Kathleen Green.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 20, 2019

  
\_\_\_\_\_  
John T. Copenhaver, Jr.  
Senior United States District Judge